

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:13-cv-395-RJC-DCK**

MARIA LYNN KEY,)
Plaintiff,)
v.)
CAROLYN W. COLVIN,)
Acting Commissioner of)
Social Security Administration,)
Defendant.)

THIS MATTER comes before the Court sua sponte. On July 18, 2014, this Court denied Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs (Doc. 3). In the order denying Plaintiff's application, the Court ordered Plaintiff, within fourteen (14) days, to pay the filing fee to the Clerk of Court or to submit an amended application to Proceed Without Prepayment of Costs or fees (*Id.*). Plaintiff did not comply with this order. Instead, on August 27, 2013, Plaintiff applied for an extension of time to pay the filing fee. (Doc. 4). The Magistrate Judge gave Plaintiff until February 1, 2014 to pay the filing fee and to serve the summons and complaint on Defendant. That deadline has long passed and Plaintiff has not paid the filing fee or served Defendants with the Complaint.

The Court has provided Plaintiff with ample opportunity to pay the filing fee. Notwithstanding Plaintiff's failure to comply with the July 18, 2013 order of this Court, the Magistrate Judge provided Plaintiff an extension of several months to pay the filing fee and serve Defendant. (Doc. 5). Plaintiff has failed to comply with this extension.

A failure to heed a Court's orders can warrant dismissal of a case. Such dismissal is warranted in this case.

IV. CONCLUSION

IT IS, THEREFORE, ORDERED that the Plaintiff's Complaint (Doc. 1) is **DISMISSED without prejudice.** The Clerk of Court is directed to close this case.



Robert J. Conrad, Jr.
United States District Judge

